DETAILED ACTION

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview

William F. Westerman (Reg. No.: 29,988) with on June 12, 2008.

The application has been amended as follows:

Replace claim 1 with the following:

1   (Currently Amended) An image recognition apparatus for recognizing

movements of players matched against each other between domains partitioned

with such an obstacle as net in a sport match or game from contents including a

television program being telecasted to show the sport match or game, an image

material in an uncompleted state for broadcasting and contents recorded in

[[such]] a recording medium as a VTR, the image recognition apparatus

comprising: a picture information obtaining section configured to obtain picture

information containing an image of a movement of at least one of the players

playing in the sport match or game from the contents; a sound information

obtaining section configured to obtain sound information generated in

synchronism with the picture information from the contents, the sound

information including information on a hitting sound generated upon hitting of

[[such]] an instrument ~~as a ball~~ moving between the domains to serve as an

object of score count in the sport match or game; a hitting time information

specifying section configured to specify a hitting time at which the instrument is

hit based on the sound information obtained by the sound information obtaining

section; a rule information storage section configured to store rule information for

carrying out the sport match or game; and an image substance recognizing

section configured to recognize a substance of an image containing the image of

the movement of the player provided by the picture information based on the

picture information obtained by the picture information obtaining section, a

position of the instrument at the hitting time specified by the hitting time

specifying section and the rule information stored in the rule information storage

section.

Replace claim 14 with the following:

14   (Currently Amended) An image recognition program <u>stored on a computer</u>

<u>readable medium</u> cooperative with a computer for causing an image recognition

apparatus to operate to recognize movements of players matched against each

other between domains partitioned with such an obstacle as net in a sport match

or game from contents including a television program being telecasted to show

the sport match or game, an image material in an uncompleted state for

broadcasting and contents recorded in [[such]] a recording medium ~~as a VTR~~

,the image recognition program being configured to cause the image recognition

apparatus to function as: game from the contents; a sound information obtaining

section configured to obtain sound information generated in synchronism with the

picture information from the contents, the sound information including information

on a hitting sound generated upon hitting of [[such]] an instrument ~~as a ball~~

moving between the domains to serve as an object of score count in the sport

match or game; a hitting time information specifying section configured to specify

a hitting time at which the instrument is hit based on the sound information

obtained by the sound information obtaining section; a rule information storage

section configured to store rule information for carrying out the sport match or

game; and an image substance recognizing section configured to recognize a

substance of an image containing the image of the movement of the player

provided by the picture information based on the picture information obtained by

the picture information obtaining section, a position of the instrument at the hitting

time specified by the hitting time specifying section and the rule information

stored in the rule information storage section.

Allowance

2.   The following is an examiner's statement of reasons for allowance: The most

pertinent prior art is Katayama (US Patent No.: 6,071,002) in view of Watabe et al (US

Patent No.: 6,663,491). Katayama discloses an image recognition apparatus for

recognizing movements of players matched against each other between domains

partitioned with such an obstacle as net in a sport match or game from contents
including a television program being telecasted to show the sport match or game, an
image material in an uncompleted state for broadcasting and contents recorded in such
a recording medium as a VTR, the image recognition apparatus comprising: a picture
information obtaining section configured to obtain picture information containing an
image of a movement of at least one of the players playing in the sport match or game
from the contents; a sound information obtaining section configured to obtain sound
information generated in synchronism with the picture information from the contents, the
sound information including information on a hitting sound generated upon hitting of
such an instrument as a ball moving between the domains to serve as an object of
score count in the sport match or game; and a rule information storage section
configured to store rule information for carrying out the sport match or game. However,
Katayama does not expressly disclose a hitting time information specifying section
configured to specify a hitting time at which the instrument is hit based on the sound
information obtained by the sound information obtaining section. Watabe discloses a
game apparatus comprising hitting time information specifying section configured to
specify a hitting time at which the instrument is hit based on the sound information
obtained by the sound information obtaining section. Note the discussion, Katayama in
view of Yamada does not teach an image substance recognizing section configured to
recognize a substance of an image containing the image of the movement of the player
provided by the picture information based on the picture information obtained by the
picture information obtaining section, a position of the instrument at the hitting time

specified by the hitting time specifying section and the rule information stored in the rule information storage section. The examiner finds no reason or motivation to combine the above references in an obvious rejection thus placing the application in condition for allowance.

3.   Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4.   Claims 1-14 are allowed.

Conclusion

5.   The prior art made part of the record and not relied upon is considered pertinent to applicant's disclosure.

Davis (Patent No.: US 5,423,554) is cited to teach Virtual reality game method and apparatus

Black (Patent No.: US 5,802,220) is cited to teach Apparatus and method for tracking facial motion through a sequence of images

Iannazo (Patent No.: US 5,882,204) is cited to teach Football interactive simulation trainer

mrts69tach Movement pattern recognizing apparatus

Macri (Patent No.: US 6,183,259) is cited to teach Simulated training method

Keaton (Patent No.: US 7,148,913) is cited to teach Vision-based pointer tracking and object classification method and apparatus

Matsumoto (Patent No.: US 7,160,191) is cited to teach Game machine, method and program

Mifune (Patent No.: US 7,300,345) is cited to teach Method and computer-readable medium for deploying characters in a game

Isobe (Patent No.: US 6,256,047) is cited to teach Method of judging hits and computer-readable storage medium storing game data

Inquires

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrae S. Allison whose telephone number is (571) 270-1052. The examiner can normally be reached on Monday-Friday, 8:00 am - 5:00 pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Meta can be reached on (571) 272-7453. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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published applications may be obtained from either Private PAIR or Public PAIR.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrae Allison   /Andrew W. Johns/
                                                         Primary Examiner, Art Unit 2624
June 13, 2008